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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/666,728 | 09/19/2003 | Jennifer Amys | 1640.001US1 | 6050 |
| 21186 | 7590 | 04/13/2009 | | |
| SCHWEGMAN, LUNDBERG & WOESSNER, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402 | | | EXAMINER ADAMS, CHARLES D | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/666,728

Applicant(s)

AMYS ET AL.

Examiner

CHARLES D. ADAMS

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. In response to communications filed on 29 January 2009, claims 1 and 3 are amended. Claims 1 and 3 are pending in the application.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 1 is rejected under 35 U.S.C. 101 because the claim is directed towards a method, but a method is only patentable under 35 U.S.C. 101 if: (1) it is tied to a particular machine or apparatus, or (2) it transforms a particular article into a different state or thing. The use of a specific machine or transformation of an article must impose meaningful limits on the claim's scope to impart patent-eligibility. The involvement of the machine or transformation in the claimed process must not merely be insignificant extra-solution activity; and that the transformation must be central to the purpose of the claimed process.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over.

Klein et al. (US Patent 6,496,825) in view of

As to claim 1, Klein et al. teaches a method comprising:

receiving, from two or more different software systems, electronic data relating to a transaction involving documentation communicated in an electronic form, wherein the electronic data relating to the transaction is produced by one of the two or more different software systems from which the electronic data is received (see 6:40-55, 6:60-67, and 7:18-33. A local transaction and a local transaction identifier are created. When the work is passed to a remote system, the remote system creates a remote transaction identifier, and creates a “control block data structure where it stores information about the local transaction, T2, including its association with transaction T1”);

Processing copies of the electronic data to identify electronic documentation items and at least one key value associated with an electronic documentation item received from one of the at least two different software systems, wherein the at least one key value includes a key value that identifies the transaction in the software system the electronic documentation item is received from (see 6:60-67 and 7:18-33. Also see 7:46-69. When the data is returned, the remote system looks up the global identifier);

using the at least one key value to look up a unique transaction identifier associated with the transaction on a system performing the method (see 7:46-69), wherein the transaction includes one unique transaction identifiers and two or more

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associated key values, wherein each key value is a key value used to identify the transaction within one of the two or more different software systems from which the electronic data relating to the transaction was received (see 7:49-69. Each transaction includes a local key value for the system on which it is run. Each transaction is also associated with a global unique identifier that serves to assist in identifying related transactions);

Indexing the documentation items according to the at least one key value and transaction identifier (see 7:28-33 and 7:54-59);

Archiving the documentation items in a data storage system or device (see 7:28-33 and 7:54-59); and

Klein et al. does not teach logging one or more of a date and time associated with at least some of the documentation items,

Bromberg et al. teaches logging one or more of a date and time associated with at least some of the documentation items (see 6:46-65. Benchmark transactions log the time the transaction was started); and

Klein et al. as modified teaches:

wherein all documentation items relating to a transaction are retrievable using one of the key values of the two or more different software systems from which the electronic data relating to the transaction was received (see Klein et al. 7:28-33 and 7:54-59)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Klein et al. by the teachings of Bromberg

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et al., since Bromberg et al. teaches “reproducible and scalable transaction profile for measuring the performance of a database server” (see 2:3-4)

As to claim 3, Klein et al. teaches a system comprising:

operatively couple the computer via a first interface with a first external system producing first electronic data relating to a transaction involving documentation communicated in an electronic form, wherein the first electronic data includes at least a first key value, the first key value identifying the transaction within the first external system (see 6:40-55, 6:60-67, and 7:18-33. Also see 6:20-28 and 7:46-50. The system may use multiple remote systems);

operative couple the computer via a second interface with a second external system producing second electronic data relating to the transaction, wherein the second electronic data includes at least a second key value, the second key value identifying the transaction within the second external system (see 6:40-55, 6:60-67, and 7:18-33. Also see 6:20-28 and 7:46-50. The system may use multiple remote systems); and

Process copies of the first and second electronic data to identify electronic documentation items and at least one key value associated with an electronic documentation item (see 6:40-55, 6:60-67, and 7:18-33);

Use the key value to look up a unique transaction identifier associated with the transaction (see 7:46-69);

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Index the documentation items according to key value and unique transaction identifier (see 6:60-67 and 7:18-33. Also see 7:46-69. When the data is returned, the remote system looks up the global identifier);

Archive the documentation items (see 6:60-67 and 7:18-33. Also see 7:46-69. When the data is returned, the remote system looks up the global identifier); and

Klein et al. does not teach log one or more of a date and time associated with at least some of the documentation items.

Bromberg et al. teaches log one or more of a date and time associated with at least some of the documentation items (see 6:46-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Klein et al. by the teachings of Bromberg et al., since Bromberg et al. teaches “reproducible and scalable transaction profile for measuring the performance of a database server” (see 2:3-4)

Response to Arguments

5. Applicant's arguments in regards to claims 1 and 3 have been fully considered, but are moot in view of the new grounds of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES D. ADAMS whose telephone number is (571)272-3938. The examiner can normally be reached on 8:30 AM - 5:00 PM, M - F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. D. A./

Examiner, Art Unit 2164

/Charles Rones/

Supervisory Patent Examiner, Art Unit 2164